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EXAMINER

VO, TUNG T

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/954,976	<b>Applicant(s)</b> NAIDOO ET AL.	
	<b>Examiner</b> Tung Vo	<b>Art Unit</b> 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06/17/08.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-24,26-31 and 47-61 is/are pending in the application.
- 4a) Of the above claim(s) 2,25 and 32-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-24,26-31 and 47-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-19, 47-49, and 53-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumpes (US 6,442,241 B1) as set forth in the previous office action dated 03/17/2008.

3. Claims 1, 3-19, 47-49, and 53-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons (US 6,504,479) in view of Tsumpes (US 6,442,241 B1) as set forth in the previous office action dated 03/17/2008.

4. Claims 57-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons (US 6,504,479) in view of Menard (US 6,667,688) as set forth in the previous office action dated 03/17/2008.

5. Claims 20-24, 26-31, and 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons (US 6,504,479) in view of Tsumpes (US 6,442,241 B1) and further in view of Kung et al. (US 6,826,173) as set forth in the previous office action dated 03/17/2008.

6. Claims 20-24 and 26-31, 47-52, 55-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saylor (US 6,400,265) in view of Kung et al. (US 6,826,173), and further in view of Tsumpes (US 6,442,241 B1) as set forth in the previous office action dated 03/17/2008.

### ***Response to Arguments***

**I.** Applicant's arguments filed 06/17/2008 have been fully considered but they are not persuasive.

The applicant argues that Tsumpes fails to teach or suggest a security gateway that notifies a security system server of a single alarm condition through two networks substantially simultaneously, or a security system server that receives two separate notifications of an alarm condition from a security gateway, pages 15-16 of the remarks.

The examiner respectfully disagrees with the applicant. It is submitted that Tsumpes teaches a security gateway (12 of fig. 1, note the controller for simultaneously monitoring a plurality of different events, so the controller would obviously transmit a changed or occurred event to the central monitoring station, 13 of fig. 1) that notifies a security system server (13 of fig. 1) of a single alarm condition (change in status; col. 4, lines 56-59) through two networks substantially simultaneously (19 and 20 of fig. 1, note the controller 12 may include a wireless transceiver 19 for transmitting the digital data packet DDP via the cellular communications network, *and/or* a radio frequency RF transceiver 20 that transmits the digital data packet DDP via a RF communications channel. This disclosure would suggest one skill in the art to use the wireless transceiver (19 of fig. 1) and the radio frequency RF transceiver (20 of fig. 1) for transmitting the digital data packet DDP from the controller (12 of fig. 1) to the central

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monitoring station substantially simultaneously) or a security system server (13 of fig. 1) that receives two separate notifications (a plurality of different events) of an alarm condition from a security gateway (12 of fig. 1; note the controller simultaneously monitors a plurality of different events, so the controller would obviously transmitting plurality different events to the central monitoring station, 13 of fig. 1). In view of the discussion above, the claimed invention is unpatentable over Tsumpes.

The applicant argues that Tsumpes does not teach "wherein the security gateway is configured to ... (2) detect if connectivity with the security system server through the first network is lost; and (3) notify the security system server through the second network of the loss of connectivity though the first network," pages 16 and 17 of the remarks.

The examiner respectfully disagrees with the applicant. It is submitted that Tsumpes teaches one of the communications channels is replace by a back-up communications channel (col. 3, lines 55-63). Therefore, one of ordinary skill in the art to modify the back-up communications channel into the controller (12 of fig. 1) to provide the same purpose of transmitting the alarm even from the controller to the central monitoring station (13 of fig. 1). Note when the back-up communication channel is used in the controller (12 of fig. 1), the controller would obviously recognize one of the communications channel does not work. In view of the discussion above the claimed invention is unpatentable over Tsumpes.

The applicant argues that Tsumpes does not disclose "wherein the security gateway is further configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed

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and the security gateway is armed before connectivity with the security system server through the first network is restored."

The examiner respectfully disagrees with the applicant. It is submitted that Tsumpes teaches the back-up communications channel is modified into the controller (12 of fig. 1) as discussed above, the controller would obviously detect one of the communications channel that does not work or lost or disconnect, so the back-up communications channel is in use until one of the communications channel is restored and running. Having the back-up communications channel in the controller would be able to notify the central monitoring station when the first network is lost while the controller is disarmed and the controller (12 of fig. 1) is armed before connectivity with the central monitoring station (13 of fig. 1) through the first network is restored. In view of the discussion above, the claimed invention is unpatentable over Tsumpes.

The applicant further argues that neither Lemons nor Tsumpes discloses a security gateway that notifies a security system server of a single alarm condition through two networks substantially simultaneously, or a security system server that receives two separate notifications of an alarm condition from a security gateway, pages 18-20 of the remarks.

The examiner respectfully disagrees with the applicant. It is submitted that Lemons teaches the security gateway (12 and 14 of fig. 1) is configured to notify the security system server of the alarm condition and to transfer the alarm video to the security system server in substantially real time through the first network (col. 7, lines 25-28); wherein the security system server (38 of fig. 1) is further operatively coupled to the security gateway through a second network (50 of fig. 1); wherein the security gateway (12 and 14 of fig. 1) is configured to notify the security system server (38 of fig. 1) of the alarm through the second network (col. 4, line 66-

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col. 5, line 30), and wherein the security gateway (12 of fig. 1) is further configured to notify the security system server (38 of fig. 1) of the alarm condition through the first network (26 of fig. 1 ) substantially with notify the security system server (38 of fig. 1) of the alarm condition through the second network (50 of fig. 1 ) if the first network is lost.

Tsumpes teaches a security gateway (12 of fig. 1, note the controller for simultaneously monitoring a plurality of different events, so the controller would obviously transmit a changed or occurred event to the central monitoring station, 13 of fig. 1) that notifies a security system server (13 of fig. 1) of a single alarm condition (change in status; col. 4, lines 56-59) through two networks substantially simultaneously (19 and 20 of fig. 1, note the controller 12 may include a wireless transceiver 19 for transmitting the digital data packet DDP via the cellular communications network, *and*/or a radio frequency RF transceiver 20 that transmits the digital data packet DDP via a RF communications channel. This disclosure would suggest one skill in the art to use the wireless transceiver (19 of fig. 1) and the radio frequency RF transceiver (20 of fig. 1) for transmitting the digital data packet DDP from the controller (12 of fig. 1) to the central monitoring station substantially simultaneously) or a security system server (13 of fig. 1) that receives two separate notifications (a plurality of different events) of an alarm condition from a security gateway (12 of fig. 1; note the controller simultaneously monitors a plurality of different events, so the controller would obviously transmitting plurality different events to the central monitoring station, 13 of fig. 1). Therefore, one of ordinary skill in the art would obvious modify the teachings of Tsumpes into the system of Lemons for transmitting the alarm condition simultaneously.

The applicant argues that Lemons does not mention the capability of detecting a loss of connectivity with the monitoring center (38 of fig. 1) and the site control unit (14 of fig. 1).

The examiner respectfully disagrees with the applicant. It is submitted that Lemons teaches the communications channels are (36 and 50 of fig. 1), and one of them is the back-up communication channel when the other is interrupted. This would obviously suggest the site control unit would be able to detect the loss, interruption, or not available of the connectivity of the communications channel (36 of fig. 1, col. 5, lines 9-14). In view of the discussion above, the claimed invention is unpatentable over Lemons.

The applicant argues that Menard discloses two communications path that operates simultaneously rather than independently to deliver the alarm notification to different destinations not notify the security system server (20 of Menard) and not combinable with Lemons, pages 22-24 of the remarks.

The examiner respectfully disagrees with applicant. It is submitted that Menard teaches the alarm system (10 of fig. 1) is simultaneous alarm transmission to the central station (20 of fig. 1) and end user (40 of fig. 1), wherein the system of Menard is not intended in an exclusive or limited sense, and variations may exist in organization, dimension, hardware, software, and mechanical design (col. 5, lines 5-12). This disclosure suggests that the communications channel that would be modified to transmit the alarm simultaneously from the alarm system to the central.

Lemons teaches two communications channel (36 and 38 of fig. 1) that transmit the video and audio alarm from the premises (12 of fig. 1)-the monitoring center (38 of fig. 1) and suggests



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the changes and modifications integrated circuitry system possible and contemplated (col. 11, lines 50-58), this is evidence to one skill in the art to modify the Lemons system.

Therefore, one skill of ordinary skill in the art would modify the simultaneous transmission paths (A and B of fig. 1) of Menard into the transmissions channel (36 and 50 of fig. 1) of Lemons for notifying the alarm to the monitoring Center without delay when one of the transmissions is lost.

The applicant further argues that neither Lemons nor Tsumpes teaches Accordingly, at least because neither Lemons nor Tsumpes teaches or suggests a security system server that receives an alarm notification and another alarm notification from a security gateway through second and third networks, and combining Kung with Lemons and Tsumpes fails to resolve the deficiencies noted above, and therefore fails to render independent claim 20 obvious, page 25 of the remarks.

The examiner respectfully disagrees with the applicant. It is submitted Lemons teaches the sited control unit (14 of fig. 1) for transmitting the alarm condition to the monitoring central (38 of fig. 1) using communications channel (36 and 50 of fig. 1). Tsumpes teaches the controller (12 of fig. 1) for transmitting the alarm to the central monitoring station (13 of fig. 1) using a wireless transceiver (19 of fig. 1) and a radio frequency FR transceiver (20 of fig. 1). Tsumpes further teaches transmitting the alarm system using communication channel (14 and 17 of fig. 1), this would obviously suggest a third communication channel in use. Kung teaches a security gateway (102 of fig. 1) connects to a cable head-end (115 of fig. 1) through a first network (112 of fig. 1) by a hybrid-fiber-coaxial network (col.5, line 44 through col. 6, line 9),

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therefore, one of ordinary skill in the art to use the hybrid-fiber-coaxial for communications channel to transmitting the data from one place to another faster.

The applicant further argues that Tsumpes neither teaches nor suggests receiving a notification of an alarm condition and another notification of the same alarm condition at the central monitoring station 13 through two distinct networks, and neither Saylor nor Tsumpes teaches or suggests a security system server that receives an alarm notification and another alarm notification from a security gateway through second and third networks, pages 26-27 of the remarks.

The examiner respectfully disagrees with the applicant. It is submitted that Tsumpes teaches a security gateway (12 of fig. 1, note the controller for simultaneously monitoring a plurality of different events, so the controller would obviously transmit a changed or occurred event to the central monitoring station, 13 of fig. 1) that notifies a security system server (13 of fig. 1) of a single alarm condition (change in status; col. 4, lines 56-59) through two networks substantially simultaneously (19 and 20 of fig. 1, note the controller 12 may include a wireless transceiver 19 for transmitting the digital data packet DDP via the cellular communications network, *and*/or a radio frequency RF transceiver 20 that transmits the digital data packet DDP via a RF communications channel. This disclosure would suggest one skill in the art to use the wireless transceiver (19 of fig. 1) and the radio frequency RF transceiver (20 of fig. 1) for transmitting the digital data packet DDP from the controller (12 of fig. 1) to the central monitoring station substantially simultaneously) or a security system server (13 of fig. 1) that receives two separate notifications (a plurality of different events) of an alarm condition from a security gateway (12 of fig. 1; note the controller simultaneously monitors a plurality of different

events, so the controller would obviously transmitting plurality different events to the central monitoring station, 13 of fig. 1).

Kung teaches a security gateway (102 of fig. 1) connects to a cable head-end (115 of fig. 1) through a first network (112 of fig. 1) by a hybrid-fiber-coaxial network (col.5, line 44 through col. 6, line 9), therefore, one of ordinary skill in the art to use the hybrid-fiber-coaxial for communications channel to transmitting the data from one place to another faster.

Tsumpes further teaches the controller (12 of fig. 1) for transmitting the alarm to the central monitoring station (13 of fig. 1) using a wireless transceiver (19 of fig. 1) and a radio frequency FR transceiver (20 of fig. 1). Tsumpes further teaches transmitting the alarm system using communication channel (14 and 17 of fig. 1), this would obviously suggest a third communication channel in use.

Moreover, Saylor teaches the security gateway (110 of fig. 1) is operatively coupled to the security system server (130 of fig. 1) through a third network (152 of fig. 1; Note alert notification is transmitted to the user and to the security system server through POTS (cable)), the security gateway (110 of fig. 1) being further configured to notify the security system server (130 of fig. 1) of the alarm condition through the third network (152 of fig. 1); and wherein the security gateway (110 of fig. 1) is configured to notify the security system server of the alarm condition through the second network substantially simultaneously (Note a system and method for monitoring a security system by using video images where a wireless communication system may be used to automatically inform an owner and other authorized entities in a manner predetermined by the user when alarm situations and/or alarm worthy situations occur, this suggests the security gateway simultaneously transmits the alarm notification to the second and

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third networks) with notifying the security system server (130 of fig. 1) of the alarm condition through the second and third networks (150 and 152 of fig. 1). Therefore, it would have been one ordinary skill in the art to combine Saylor, Kung, and Tsumpes together to make obvious claimed invention.

The applicant argues that limitations in claims 47-49 are not mentioned in the rejection. The examiner respectfully disagrees with the applicant. It is submitted that Saylor further teaches wherein the security gateway is further configured to detect if connectivity with the security system server through the first network is lost and notify the security system server through the second network of the loss of connectivity through the first network (col. 6, lines 50-55); wherein the security gateway is further configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored (col. 6, lines 21-34).

The applicant argues that limitations in claims 55-61 are not mentioned in the rejection. The examiner respectfully disagrees with the applicant. It is submitted that Saylor further teaches a security system (fig. 1) comprising: a security gateway located at a premises (110, 120, 112, 122, 114, and 124 of fig. 1), wherein the security gateway is operable to detect an alarm condition and to record video of at least a portion of the premises relating to the alarm condition, said video hereinafter referred to as an Alarm Video (120, 122, and 124 of fig. 1); and a security system server (130 of fig. 1) operatively coupled to the security gateway through a first network, wherein the security gateway is configured to notify the security system server of the alarm condition and to transfer the Alarm Video to the security system server in substantially real time

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through the first network (100 of fig. 1, Note the connections between the property and the central security would obviously be considered as a first network); wherein the security system server (130 of fig. 1) is further operatively coupled to the security gateway through a second network (150 of fig. 1), wherein the security gateway is configured to notify the security system server of the alarm condition through the second network; and wherein the security gateway is further configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored (col. 6, lines 21- 55); wherein the security gateway is further configured to detect if connectivity with the security system server through the first network is lost and notify the security system server through the second network of the loss of connectivity through the first network (col. 6, lines 21-55); a security system (fig. 1) comprising: a security gateway located at a premises (110, 120, 112, 122, 114, 124 of fig. 1), wherein the security gateway is operable to detect an alarm condition and to record video of at least a portion of the premises relating to the alarm condition, the video hereinafter referred to as an Alarm Video; a security system server (130 of fig. 1) operatively coupled to the security gateway through a first network, wherein the security gateway is configured to notify the security system server of the alarm condition and to transfer the Alarm Video to the security system server through the first network in substantially real time and wherein the security system server is remotely located relative to the security gateway (Note the connections between the security server and the property would obviously be considered as a first network, see 110, 130 of fig. 1)); a monitoring center (160 of fig. 1) operatively coupled to said security gateway through a second network

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(150 of fig. 1), wherein the security gateway is configured to notify the monitoring center of the alarm condition through the second network, wherein the monitoring center (160 of fig. 1) is remotely located relative to the security gateway and the security system server and wherein the monitoring center is further operably coupled to the security system server (130 of fig. 1); and wherein the monitoring center is configured to notify the security system server of the alarm condition (160 of fig. 1); wherein the monitoring center is operatively coupled to the security system server (130 of fig. 1) through a third network (152 of fig. 1) and wherein the monitoring center is configured to notify the security system server of the alarm condition through the third network; wherein the security system gateway is configured to notify the security gateway of the alarm condition through the first network substantially simultaneously with notifying the monitoring station of the alarm condition through the second network (col. 1, lines 5-13); wherein the monitoring center (160 of fig. 1) is operatively coupled to the security system server (130 of fig. 1) through the first network (Internet) and wherein the monitoring center is configured to notify the security system server of the alarm condition through the first network; the security system gateway (110 and 120 of fig. 1) is configured to notify the security gateway of the alarm condition through the first network substantially simultaneously with notifying the monitoring station of the alarm condition through the second network (col. 1, lines 5-13)).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tung Vo/  
Primary Examiner, Art Unit 2621